

**BEFORE THE
FEDERAL MARITIME COMMISSION**

DOCKET NO. 13-05

**OCEAN TRANSPORTATION INTERMEDIARY LICENSING AND FINANCIAL
RESPONSIBILITY REQUIREMENTS, AND GENERAL DUTIES**

COMMENTS OF PRIDE INTERNATIONAL , INC.

I am Cynthia M. Milligan, Export Manager, Pride International, Inc.

Pride International, Inc. is a OTI 3201F and NVOCC 13251 as well as a CHB. We are a member of the NCBFA and BCBFA.

I do not support this requirement for the following reasons:

1. *This is unnecessary because all OTIs are already required to keep the Commission informed of any changes in their corporate structure, officers and directors, and locations of their headquarters and branch offices. And, if so, the company has complied with that.*
2. *Assuming any additional regulation is really required for this, a much simpler way to ensure that the information is up to date would be to simply require a triennial reporting, rather than license renewal.*
3. *It is unclear whether any problems the company might have, such as claims by shippers or carriers or the pendency of some investigation by BOE, would jeopardize the license renewal. If so, that puts the company's license at inappropriate risk.]*

I disagree with the proposal that it is appropriate for the Commission to require sureties to file with the FMC a list of any claims made to them that relate in any way to the transportation activities of a forwarder or NVOCC.

- 1. Even if not published on the FMC's website, the release of this data, could be very damaging to the company, especially since those claims may have little or no merit.*
- 2. Even with a disclaimer that the Commission is not making any judgment about the veracity of the allegations, any release of this type of information could have an unfair, damaging effect on the company's reputation and would threaten its business and viability.*
- 3. When our company has valid claims against it, either it or its insurance companies pay those claims, so that there has never been an occasion when a claimant has been forced to move against our FMC bond; accordingly, this requirement has little or no relevance to the commercial realities of how business is done.]*

I disagree with the proposed regulations relating to the advertising of your various third party vendors (such as truckers, consolidators, break bulk agents, etc.) and their advertising. In that regard, the Commission proposes regulations precluding any advertising by these companies unless they have OTI licenses or registrations.

- 1. It is not clear which parties would be covered by the regulation; for example, we might engage any number of third parties to provide some of the services we contract to perform, such as drayage companies, warehouses, railroads, truckers,*

I believe that there are other initiatives that the Commission should have considered in order to eliminate unnecessary regulatory burdens or otherwise facilitate the role of OTIs in the movement of traffic.

1. Total elimination of OTI rate tariff publication, so as to avoid any procedural requirements.
2. The elimination of the need for NVOCCs to file NVOCC Service Agreements (“NSAs”) or publish their essential terms.
3. The FMC should require the vessel operators to file their contingency plans with the Commission, which could be posted on the Commission’s website, so that the trade can be advised of those plans in the event there are severe weather or labor issues that could lead to significant service disruptions.
4. The Commission could work with the FMCSA to establish a common bond for OTIs and motor carrier property brokers, which would further reduce the financial burden on intermediaries.]

packing companies, breakbulk and loading agents and even steamship lines. Are they all covered by this advertising prohibition?

- 2. If the real problem the FMC is addressing relates to companies engaged in moving household goods in the so-called barrel trade, it is not clear why the Commission should be imposing these new regulations on regular, commercial OTIs.]*

I believe it is a good idea for the Commission to eliminate the requirement for branch offices of NVOCCs and ocean forwarders to have \$10,000 bonds for each office.

- 1. The elimination of the separate branch office bonds would ease some of the burden on OTIs, as is otherwise necessary to continually amend bonds every time a branch office is added, subtracted or just moves. This can be a time-consuming process.*
- 2. Our company has never had any claims made against its bond, so the slight reduction in total bond amount would have negligible effect on our customers or other potential claimants.*
- 3. As a small company, eliminating these bonds would reduce our cost of operations and make us more competitive.]*

DATED: __December 10 , 2014


Cynthia M. Milligan

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